

Cowan, Liebowitz & Latman, P.C.

LAW OFFICES

1133 Avenue of the Americas • New York, NY 10036-6799

Telephone (212) 790-9200 • Web www.clf.com • Fax (212) 575-0671

Kieran G. Doyle
Direct (212) 790-9261
kgl@clf.com

November 25, 2009

Honorable Arlene Rosario Lindsay
United States Magistrate Judge
Long Island Federal Courthouse
944 Federal Plaza
Central Islip, NY 11722

Re: Comfort Maven Corp. v. Y.E.E. Shoe Corp., et. al, CV 09-1623 (LDW)(ARL)

Dear Magistrate Judge Lindsay:

This firm represents Comfort Maven Corp. in the above referenced litigation. By Initial Conference Order dated November 16, 2009, the Court scheduled an initial conference for Thursday December 10, 2009. Due to a prior professional commitment on that date, I write to request an adjournment of that conference until any of the following nine (9) alternative dates: December 21-23, 28, 29, or January 4-7.

Before writing to the Court, I wrote to defendants' counsel Steven Crosby by mail and email dated November 20, 2009, advising him that plaintiff would be seeking an adjournment and asking him to let me know which of the above nine (9) proposed dates would be preferable to him and his clients. He did not reply.

I also request that the Court order that Mr. Avi Rahamim and Mr. Jack Samra, the principals for the parties, appear at the conference. Between April and June 2009 the parties and their counsel dedicated substantial time and effort to negotiating and drafting a settlement agreement. They had agreed on several critical terms, and appeared to be making significant headway on the outstanding terms. This was during a period in which defendants were represented by prior counsel, Jeffrey Dweck. In June 2009, Mr. Crosby assumed responsibility for the defense and, since that time, the parties have had no further discussions regarding settlement. If the parties themselves, along with their counsel, were to appear before the court, I

Cowan, Liebowitz & Latman, P.C.

Honorable Arlene Rosario Lindsay

November 25, 2009

Page 2

believe there would be a valuable opportunity for a full and frank conversation regarding the feasibility of an amicable resolution of this dispute. To that end, Plaintiff would also welcome the opportunity to submit to the Court in advance of the conference a letter setting forth its position regarding the case and settlement.

Respectfully Submitted,


Kieran G. Doyle

cc: Steven Crosby, Esq.